RECEIVED **CENTRAL FAX CENTER**

NOV 15 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hiroyuki KATAGIRI, ct al.

Serial No.:

10/021,904

Group No.:

3622

(type or print name of person certifying)

Filed: December 13, 2001

Examiner:

D. Lastra

For:

METHOD AND SYSTEM FOR PROVIDING ADDITIONAL SERVICE TO

MERCHANDISE

Attorney Docket No.:

U 013774-2

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

COMMUNICATION

The RESPONSE of November 5, 2005, supported patentability with objective evidence of commercial success. Such evidence should be considered to be in affidavit/declaration form, as at will be on request.

In present support thereof, translator attestation is provided for an English translation of a Nikkei News article of August 12, 2001, previously filed.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a) I hereby certify that this correspondence is, on the date shown below, being: **FACSIMILE** MAILING \boxtimes transmitted by facsimile to the Patent and deposited with the United States Postal Service with sufficient postage as first class mail in an Trademark Office to (571) 273-8300 envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 William R. Evans Date: November 15, 2005

Additional information is:

- (1) There were no advertising expenses for this particular chocolate on both sales terms (the first term shown in the blue graph and the second term shown in the red graph of Document 8). That is there were no commercial messages provided for this particular chocolate shown in Document 2 on TV or magazines for these two terms.
- (2) The packages of this particular chocolate were displayed on the same counter of the same supermarket during both of the first and the second terms. There were no poster or leaflet explaining a campaign in the supermarket.
- (3) The package of the chocolate sold in the first term and that sold in the second term are identical with one exception that the former includes an ID code printed inside a package but the latter does not.

According to the above-described facts, the following results may be induced.

(a) Most of consumers did not know whether or not the campaign was carried out in both the terms until he/she purchased and opened the box of the chocolate for the first time in the respective terms.

- できるないのできるというというと
- In the first term, a consumer who bought the chocolate for the first time would (b) notice that the campaign was carried out because he/she found an ID code and its instruction inside a package. It might induce him/her to buy another chocolate or a toy. In the same way, a consumer who bought a toy might be induced to buy another toy or a chocolate. The campaign is considered to have an effect to induce consumers to purchase the chocolate or the toy repeatedly.
- In the second term, a consumer who bought th chocolate would notice that the (c) campaign was finished because he/she did not find an ID code inside a package. therefore, there was no effect to induce consumers to purchase the chocolate or the toy repeatedly anymore.

As shown in the graphs of document 8, a decreasing speed of the blue graph is smaller than that of the red graph. This shows that the joint sales campaign according to the present invention has a remarkable effect to induce consumers to purchase the chocolate repeatedly.

Respectively submitted,

William R. Evans c/o Ladas & Parry LLP 26 West 61st Street

New York, New York 10023

Reg. No. 25858

Tel. No. (212) 708-1930

RECEIVED CENTRAL FAX CENTER

Practitioner's Docket No. <u>U 013774-2</u>

NOV 15 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hiroyuki KATAGIRI, et al.

Application No.:

10/021,904

Group No.:

3622

Filed: December 13, 2001

Examiner:

D. Lastra

(Statement of Accuracy of Translation--page 1 of 2) 5-3

METHOD AND SYSTEM FOR PROVIDING ADDITIONAL SERVICE TO MERCHANDISE

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

STATEMENT OF ACCURACY OF A TRANSLATION (37 C.F.R. SECTIONS 1.52(d), 1.55(a), 1.69)

I, the below named translator, hereby state that:

My name and post office address are as stated below;

That I am knowledgeable in the English language and in the language of the

- □ below identified document

and I believe the attached English translation to be a true and complete translation of this document.

	·		
			OF COMPANY 1 9/4/
	CERTIFICATE OF MAILING/TRANS	MISSION (3	7 C.F.R. SECTION 1.0(B))
Lberel	by certify that this correspondence is, on the date shown t	below, being:	
MAILING		FACSIMILE	
٥	deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.	Ø	transmitted by facsimile to the Patent and Trademark Office to (571)-273-8300.
	Ī		ture
Date: November 15, 2005		William R. Evans (type or print name of person certifying)	

(identify attached or previously filed document)

The document for which the attached English translation is being submitted is

Document 1 -- Article of News Paper (Nikkel News Paper dated Aug. 12, 2001

(check and complete, if applicable)

☑ This foreign language document was filed in the PTO on or about November 3, 2005

Date: (x) Novamber 9, 2005

Hiroshi SHIMURA Full name of the translator (x) Signature of the translator (X) 6-1, Minamikamata 2-chome Ohta-ku, Tokyo 144-0035 JAPAN Post Office Address (x)

(Statement of Accuracy of Translation-spage 2 of 2) 5-3

上にする。別数格のメモソーカ

SDカード

24×32×2.1

8/16/32/

下質器産業、東 、米サンティス 、日本ピクター、 ヤーブ、米パーム

64/128

く、両社会なせて月度面が核以

ードを手掛けるソニーは質菌の

概をそれぞれ二倍以上に増や

韓国企業に供給

リーカード学科は含まで松

メモリースティック

下電器放業は十月までに生産規

策を記してる。 同一規格のメモ

西様大手がメモリーカード事

TOSHIBA.

128 WE

P, NDP-1 増配すること 両社がそろって

おまけ」空英同開発した。明

3

注意れる

明治製菓、大日本印刷など開発

字明治が今月二十一日に

数者は同社のホームペーシの

モデル特許を出願した。 供システムについてビジネス

作とトミーの商品に印字して

多識別ーロを所述のホーム

あ

中部地区で発行者だするデデ

に引き上げる。

節の三柱を置て、インタ ネットで学に会 一学

関心を構めることができるか、言語にも、九ケクの1りを印

刷したカードを内包する。消

に親しんでいる若言や子供の

収的するトランクケースなど

明治緊
、
よう
、
大
全

廯

Or

規模を4万枚に増やした 京芝はSDメモリーカードの月度

ζ

れに対しソ

の生産成分を抜

リースティック

さら、ゲームを楽しむと ページのグラオーに分

るソニーのメモ は対抗商品であ 年(平成19年)8月12日(日曜日)

色いがさらに致しくなる。

た。野球境の空を巡り、東芝 サムスン電子への供給を決め

松下連合とソートのシェア

別規格の

大きさ (編×長さ× 尽さ:ミリ)

名里

(メガバイト)

主な質問メーカー

ア環境配慮

製紙大手

古紙100%再生紙

産を、柳町工場(川崎市)

松一篇的形式 (山

発した「SDカード」の生 | 校に堪やした。

殿とは松下などと共同院 | を月十五万枚から向四十万

ニーは今年後半からサムス

から子会社の東芝三沢メディ形市)のSDカードの生産

「能力者、奥在の月屋三十万

にこのほど移管。生歴規模 | 枚から十月までに七十万枚

CUMENT-0



リーなないとカード。 内部にフラッシュメモ

ラッシュや、スマートメ

モリーカ

ŀ

の粒学方数の異なる。

や数を選問し加え、メモリ

ーカードを使ったデジダル

1001至以数41001

見なに学るとなられ

カメラや携帯情報始末(F

ー、パンフレットなど ユニパックはカレ

21.5×50×2.8 4/8/16/32/ 64/128 ソニー、な土面、 シャープ、NEC、 パイオニア、サム スン旬子

カーを古らに増やしてい スティックを採用するメー

クの供給を開始。メモリー ーカードの世界市場は二 00一年で前年比例時

やりとのできる。メモリ ル機器間で情報を れを使ってデジタ 関なる記録、こ

話機にも搭載できる小さ

イックは、機器 ととくちしてる子 が表。 SDカー ディアなどの規格

さる。習作相名画機能が特

様で、次は大型とれる。

ソニーの生産枚数は弱一が、メモリースティックの

解を増強する予定はない れば、増産も提野に入むる。 海がメデーカード

月八十万枚。当回は改一採用メーカーが亡らに増え一類を強化するのはパソコン一帯から出ている。 れていることが貧及の最大 使言れるが、一規格が分か

の理点との声が最近外

製稿大手は主力の印刷・ │ ○%品の販売を拡大する。 │ ールディングが □ ○〇 一年 ┃ 繋が広がっており、 陰域配 質の向上へ設備投資 拡販 も 「斉紙 | 00%」 紙の書 谷に加え民間の薬などで 三黎縣的五朝境、王子學 万いの販売を見込むほか、 経一割をける。リサ イクル意識の高速りで、官

した。三注は学わまけの境 安全を含い仕事を見る の保有者以外が木正におまけ 高地で国生で直接物と、エロ なるがしのなパッケージに **杏本間は商品とご思**

マークを検察し、エウの保有者が、イラルを持て、エウの保有者が、エウの保有者が、エウの保有者が、エウの保有者が、エウの保有者が、イン・おまけの母供を計画している。

ロヘ などメモリーカード 敗かない放兵間品として別 なかで、メモリーカードは 金様とた新製品が指次さ 登場、研奨が急増するとみ 質子部品の無要が低迷する 情報報(十)関連の

化毎首朱りも印と

初めて。ネットなどのゲーム ておまけを提供する試みは 安けの提供を始める。 ニケタのIDを印字、

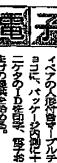
ができるという。ネットを使 ョコに、パッケージ内側に十

ている消息者はゲームにチャ

レンジで含る回数が増える。

శ్య

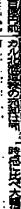
きる。阿社の「Dを共に持っ すると、スロットゲームなど 売のコーナーに りを入力











時位に代大幅に個子から一独に最前機などを監視し

: 志村特許事務所

EXPLANATION OF DOCUMENTS FOR 10/021904

Document 1

Article of News Paper (Nikkei News Paper dated Aug. 12, 2001)

English Translation of Article:

MELJI SEJKA AND DAI NIPPON PRINTING DEVELOP "ELECTRIC FREEBIE"

GAME IS PROVIDED TO CONSUMERS THROUGH NETWORK

Meiji Seika, Tomy and Dai Nippon Printing have cooperated to develop "Electric Freebie" which can be obtained through Internst. consumer inputs ID codes, which are printed on packages of products of Meiji and Tomy, on a form sheet of a Web page, he/she can enjoy a game. This is the first business trial for providing Freebie through the net. This business trial attracts a great deal of attention whether young consumers, who usually enjoy TV games, are to be interested in or not. First, Meiji is going to sell a box of chocolates with a teddy bear doll inside it to provide "Electric Freebie" in Chubu area on August 21. Inside the package of the chocolate, a twelve-digit ID code is supposed to be printed. Tomy is going to sell three products such as a doll house in the shape of trunk to accommodate teddy bear dolls on the end of August. Inside the package of the products, a nine digit ID code is supposed to be enclosed. When a consumer inputs the printed ID code on a certain Web page, he/she can play a slot machine game. A consumer who has ID codes of both the companies can challenge the game more times. Dai Nippon Printing has developed a new printing technology in which a plurality of different ID codes can be printed on packages of respective products with high speed and developed a new system in which only a consumer who obtained an ID code can get "Electric Freebie". The three companies have filed a business method patent application for "Electric Freebie" providing system. In future, they are planning to build a virtual Theme Park on the net and provide "Electric Freebie" so that only a consumer having an ID code can enter the Theme Park.